

PROB 12C
(Rev. 8/18)

UNITED STATES DISTRICT COURT
for the
District of New Hampshire

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Ryan Faulconer Case Number: 0102 1:16CR00171

Name of Sentencing Judicial Officer: Honorable Joseph N. Laplante

Date of Original Sentence: March 21, 2018

Date of Revocation Sentence: September 3, 2019

Date of 2nd Revocation Sentence: July 14, 2020

Original Offense: Possession of a Firearm by a Prohibited Person, in violation of 18 U.S.C § 922(g)(3)

Original Sentence: 18 months of imprisonment; followed by 3 years of supervised release

Revocation Sentence: Time Served (145 days); followed by 24 months of supervised release

2nd Revocation Sentence: Seven months; followed by 18 months of supervised release

Type of Supervision: Supervised release Date Supervision Commenced: August 21, 2020

Assistant U.S. Attorney: Charles Rombeau Defense Attorney: Charles J. Keefe

PETITIONING THE COURT

- ☒ To issue a warrant
- ☐ To issue a summons
- ☐ Other:

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>Violation of Special Condition: <u>As directed by the probation officer, the defendant shall participate in a program approved by the United States Probation Office for treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse.</u> On August 31, 2020, Faulconer left the sober house, Rise Above, in Nashua, NH, without the permission of this officer.</p> <p>Evidence of this consists of a conversation with a housing and behavioral health supervisor that Faulconer left the program on August 31, 2020, after returning to the program intoxicated. The sober house offered treatment which Faulconer declined.</p>
2	<p>Violation of Special Condition: <u>You must not use or possess alcohol.</u> On August 31, 2020, in Nashua, NH, the defendant consumed alcohol.</p> <p>Evidence in support of this charge includes 1) a positive test alert from an alcohol monitoring device which reported that the defendant submitted a breath sample that tested positive for alcohol (.19 BrAC) on August 31, 2020; and 2) the probation officer's testimony about a admission made by the defendant to the probation officer on September 1, 2020.</p>

- 3 **Violation of Standard Condition #2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how to and when you must report to the probation officer, and you must report to the probation officer as directed. On or about September 1, 2020, in Manchester, NH, the defendant failed to report to the probation officer as directed on September 1, 2020, following his dismissal from the sober house, Rise Above.

Evidence in support of this charge includes the probation officer's testimony.

- 4 **Violation of Standard Condition #3:** You must not knowingly leave the federal district where you are authorized to reside without first getting permission from the court or probation officer. On or about September 1, 2020, the defendant moved to Lowell, MA, without the permission of the probation officer.

Evidence in support of this charge consists of a phone call between the underlying officer and Faulconer who admitted to residing in Lowell, MA, with his girlfriend.

U.S. Probation Officer Recommendation:

- ☐ The term of supervision should be
- ☒ revoked.
- ☐ extended for years, for a total term of years.
- ☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted by,

/s/Matthew P. Senesi

Matthew P. Senesi
U.S. Probation Officer
603-225-1463

Date: September 9, 2020

Reviewed & Approved by:

/s/Jonathan E. Hurtig
Jonathan E. Hurtig
Chief U.S. Probation Officer
603-225-1599

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- ☐ No action
- ☐ The issuance of a warrant. Petition and issuance of the warrant to remain sealed pending arrest.
- ☐ The issuance of a summons.
- ☐ Other:

Ryan

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Andrea K. Johnstone

United States Magistrate Judge

Signature of Judicial Officer

9/9/2020

Date